

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 LARRY JAQUESS,

5 Plaintiff,

6 v.

7 US,

8 Defendant.
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Case No. 2:16-cv-01710-APG-VCF

**ORDER ACCEPTING REPORT AND
RECOMMENDATION AND DENYING
MOTION TO ACCEPT ADDENDUMS**

(ECF Nos. 23, 29, 30)

10 On October 24, 2016, Magistrate Judge Ferenbach issued a report and recommendation
11 recommending that I dismiss this action for lack of an operative complaint. ECF No. 23. Plaintiff
12 Larry Jaquess filed an objection (ECF No. 29), but he did not file a complaint or explain why he
13 has not done so. Instead, he filed a motion for the court to accept addendums and then filed
14 sixteen addendums requesting money for dental work, food stamps, early retirement, a house,
15 recreation funds, clothing, a truck and RV, gas, insurance, and sleep pay, among other things. *See*
16 ECF Nos. 30-46.

17 I conducted a de novo review of the issues set forth in the report and recommendation. 28
18 U.S.C. § 636(b)(1). Judge Ferenbach sets forth the proper legal analysis and factual basis for the
19 decision. There is no operative complaint in this matter. Jaquess was given an opportunity to file
20 a complaint and failed to do so. Jaquess's filings thus far have been voluminous,
21 incomprehensible, and, in some respects, delusional. Nevertheless, I will grant Jaquess a final
22 opportunity to file a proper complaint. Pursuant to Federal Rule of Civil Procedure 8(a), a
23 complaint must contain the following: (1) "a short and plain statement of the grounds for the
24 court's jurisdiction," (2) a short and plain statement of the claim showing the plaintiff is entitled
25 to relief, and (3) "a demand for the relief sought." Jaquess's complaint must be complete in itself
26 without reference to any other filing. Additionally, he must sufficiently allege each claim and the
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1 involvement of each defendant. Failure to file a complaint in response to this order will result in
2 dismissal of this case without prejudice.

3 IT IS THEREFORE ORDERED that Judge Ferenbach's report and recommendation
4 **(ECF No. 23) is accepted** and plaintiff Larry Jaquess's objection **(ECF No. 29) is overruled.**

5 IT IS FURTHER ORDERED that plaintiff Larry Jaquess's motion to accept addendums
6 **(ECF No. 30) is DENIED.**

7 IT IS FURTHER ORDERED that plaintiff Larry Jaquess must file a complaint on or
8 before January 6, 2017. If he does so, the Clerk of the Court is directed NOT to issue summons
9 on the complaint. The Court will issue a screening order on the complaint and address the
10 issuance of summons at the time, if applicable. *See* 28 U.S.C. 1915(e)(2). Failure to comply with
11 this order will result in dismissal of this action without prejudice.

12 IT IS FURTHER ORDERED that the clerk of court shall seal ECF Nos. 29 and 32
13 because they contain social security numbers. Plaintiff Larry Jaquess is directed to comply with
14 Local Rule IC 6-1 and not include personal-data identifiers such as social security numbers in
15 publicly filed documents.

16 DATED this 6th day of December, 2016.

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19 ANDREW P. GORDON
20 UNITED STATES DISTRICT JUDGE
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